

United States Court of Appeals For the First Circuit

Nos. 17-2155
17-2158

UNITED STATES,

Appellee,

v.

EDWARD S. MCLARNON,

Defendant, Appellant.

Before

Lynch, Kayatta and Barron,
Circuit Judges.

JUDGMENT

Entered: January 18, 2018

Defendant-appellant Edward S. McLarnon has filed notices of appeal from orders entered in the district court on November 9, 2017, and on November 15, 2017. The government has moved to dismiss the appeals for lack of jurisdiction.

We have received and considered the defendant's opposition to the government's motions to dismiss. We conclude that this court lacks jurisdiction to consider these appeals because the challenged orders are not final judgments or otherwise appealable. See 28 U.S.C. §§ 1291, 1292. In a criminal case, a defendant usually must wait until after sentencing to obtain appellate review of an interlocutory order. See Flanagan v. United States, 465 U.S. 259, 263 (1984) ("In a criminal case the [final judgment] rule prohibits appellate review until conviction and imposition of sentence."). As the interlocutory orders here do not fall within the limited exceptions for immediate appeals in criminal cases, the appeals are dismissed. See, e.g., United States v. Kane, 955 F.2d 110, 110-12 (1st Cir. 1992) (per curiam).

All other pending motions are denied as moot.

Appeals dismissed.

By the Court:

/s/ Margaret Carter, Clerk

cc:

Hon. Steven J. McAuliffe

Daniel Lynch, Clerk, United States District Court for the District of New Hampshire

Edward S. McLarnon

John Staige Davis

Seth R. Aframe

Matthew Hunter